

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEVOIN MANLEY	:	CIVIL ACTION
	:	
v.	:	No. 15-2624
	:	
ROBERT GILMORE, et al.	:	

ORDER

AND NOW, this 7th day of July, 2017, upon careful and independent consideration of Petitioner Levoine Manley's Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2254, and after de novo review of the Report and Recommendation of United States Magistrate Judge Jacob P. Hart and Manley's objections thereto, it is ORDERED:

1. Manley's objections (Document 28) are OVERRULED¹;
2. The Report and Recommendation (Document 25) is APPROVED and ADOPTED;
3. Manley's Petition for Writ of Habeas Corpus (Document 1) is DENIED; and
4. There has been no substantial showing of the denial of a constitutional right warranting the issuance of a certificate of appealability.

The Clerk of Court is directed to mark this case CLOSED.

¹ In May 2015, Manley filed a pro se federal habeas petition asserting thirteen grounds for relief, consisting mostly of claims of ineffective assistance of trial, appellate, or PCRA counsel, as well as claims of trial court error, prosecutorial misconduct, and insufficient evidence to support his conviction. On February 24, 2016, Judge Hart issued a Report and Recommendation (R&R) thoroughly addressing each of Manley's claims and recommending denial of his petition. Judge Hart found all but three of Manley's claims procedurally defaulted or not cognizable under § 2254. Judge Hart found the remaining claims—prosecutorial misconduct, sufficiency of the evidence, and ineffective assistance of counsel for failing to investigate witnesses—meritless, as Manley failed to establish, in each instance, the state court's rulings were contrary to, or an unreasonable application of, federal law. *See* 28 U.S.C. § 2254.

Manley has filed twelve objections to the R&R—each restating, without more, a claim asserted in his original petition. Manley offers no further argument supporting his claims, and he wholly fails to address any aspect of the R&R. This Court finds no reason to depart from Judge Hart's well-reasoned analysis of Manley's claims, and after careful and independent consideration of Manley's petition and his objections, agrees with Judge Hart's recommendation to deny the petition.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.